

ORDINANCE NO. _____
CITY OF VERNONIA SIGN CODE

10-29-09 DRAFT (underlined language is new since 10/8/09 Draft. The provisions have also been re-organized and clarified by the City of Sisters and Carole Connell)

Title 9 Section 9-09 Vernonia Sign Code

9-09.01.10 Vernonia Sign Provisions

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9-09.01-10 Purpose

The purpose of this chapter is to maintain or improve the aesthetic quality of the City's residential and business environment in a manner that recognizes and balances the need for signs with other visual, aesthetic and safety concerns of the community.

9-09.01-20 Applicability. All new, altered or remodeled signs within City Zoning districts shall be permitted, provided that they meet all standards and provisions herein. Alteration of a sign includes but is not limited to the size content, shape, method of illumination, position, location, materials or supporting structure of a sign. The permitting process may be administrative or if necessary, reviewed by a hearings body.

9-09.01-30 Definitions

A. The following definitions apply to this section and supersede conflicting definition in the Title 9 Land Development Code.

1. **Awning.** An architectural projection that provide weather protection, identity or decoration and is wholly supported by the building to which it is attached. An awning is comprised of a lightweight, rigid skeleton structure over which a covering is attached.

2. Banner. A flag, bunting or other flexible sign characteristically hung on a building, or otherwise suspended down or along its face or across any public streets of the City. The banner may or may not include copy or other graphic symbols.
3. Billboard. A sign structure subject to the provisions of the Oregon Motorist Information Act of 1971 and erected for the purpose of leasing advertising space to promote an interest other than that of an individual, business, product or service available on the premises the billboard is located on.
4. Building Directory Sign. A sign giving the name, address number or location of the occupants of a building or buildings.
5. Building Face of Wall. All window and wall area of a building in one plane or elevation.
6. Directional Sign. An on-premise sign designed to identify and locate an office, entrance, exit, motor vehicle route, telephone or similar place, service, or route.
7. Directory Signs: Used for multi-tenant buildings to provide a directory of tenant locations within the building. They may also serve as the address sign for the property. Directory signs are small scale and are oriented to pedestrians.
8. Display Surface. The area made available by the sign structure for the purpose of displaying a message thereon.
9. Flexible Sign. A windsock, flag, pennant, streamer or banner or similar sign or structure constructed of cloth, canvas or similar material, and hung from the building, or sign, which serves to identify the building or the business and/or attract attention to the business. The windsock, banner, pennant, flag or similar sign may or may not include copy or other graphics signs.
10. Ground Mounted Sign. A permanently mounted sign which is not attached to any structure or building. Also referred to as a free-standing sign.
11. Hanging Sign. Those which have both edges of the sign attached to a supporting structure above it.
12. Home Occupation Sign. Limited to four (4) square feet. See Title 9 Section 9-10
13. Internally Illuminated. A sign which is wholly or partially illuminated by an internal light source from which light passes through the display surface to the exterior of the sign.
14. Logo. Pictures, figures, symbols, letters, sign copy or similar graphic design which advertises or identifies a business, building or use.
15. Monument Sign. A low profile, ground-mounted freestanding sign that is supported by a solid base as an essential element of the design of the sign. The bottom of the sign should not be more than four (4) feet from the ground.
16. Non-conforming Sign. An existing sign, lawful at the time of enactment of this Ordinance, which does not conform to the requirements of this code.

17. Off-site Sign. A business identification sign occupying space on private property which is not the property occupied by the business.
18. Portable Sign. Any sign or other graphic, including A-frame signs, which is designed to be or is capable of being transported from one place to another and not permanently affixed to a structure or building.
19. Projecting Sign. A sign other than wall signs, which are attached to and project from a structure or building face, usually perpendicular to the building face.
20. Roof Sign. A sign located on or above the roof of any building.
21. Shopping Center/Business Complex. A group of three (3) or more commercial retail/industrial businesses which have been designed and developed together as an integral unit on a single parcel of land or separate parcels of land and which businesses utilize common off-street parking or access.
22. Sign. A sign is any structure, device, fixture or placard using graphics, symbols and/or written copy designed specifically for the purpose of advertising or identifying any business occupant, establishment, product, goods or services. However, a sign shall not include the following:
- a. Flags and insignia of a government, school, religious group, or nonprofit organization.
 - b. Legal notices; identification, information, or directional signs erected by governmental bodies or public utilities.
 - c. A memorial plaque, tablet or cornerstone made an integral and permanent part of the building or structure.
 - d. Signs within a building which cannot be seen from outside the building.
 - e. Holiday decorations.
23. Temporary Sign. A sign which is not permanently affixed. A banner, pennant, poster or advertising display constructed of cloth, canvas, flags (not including flags of national, state or city governments), plastic, sheet, cardboard, wallboard, sheet metal, plywood or similar materials and intended to be displayed for a limited period of time. Temporary signs do not include portable signs.
24. Wall Sign. A sign attached to or erected against the wall of a building with the face in a parallel plane of the building wall.
25. Sign, Public. A sign erected by a public officer or employee in the performance of a public duty which shall include, but not be limited to, motorist informational signs and warning lights.
26. Wayfinding Sign. An off-premise sign that is part of a City-sponsored and coordinated program for the purpose of facilitating vehicular tourists to a local tourist destination as designated and recognized by the City.
27. Wind Sign. Any cloth, plastic or other flexible light material which is fastened together by wire, rope, cord, string or other means in such manner as to move by wind pressure

and which are used or displayed to attract attention to a business, product, service or entertainment.

28. Window Area. An individual pane of glass or a contiguous area of glass separated only by nonstructural elements of dissimilar (non-glass) material.

29. Window Sign. A sign painted on, etched, attached to or placed upon glass surfaces of windows or doors of a building intended for viewing from the exterior of the building.

9-09.01-40 General Provisions

A. The following provisions generally apply to all signage:

1. **Design Theme Basis:** Vernonia has a sense of time and place dating from the early 1900's. Signage at that time was pedestrian-oriented. The size, lettering and placement of signs were generally designed to attract the attention of foot traffic and slow-moving horse or vehicle traffic. The basis for sign design shall be compatible with the early 1900's Historic Mill Town for signs located in all zoning districts.

2. Signing shall be in proportion with and visually related to the architectural character of the building, restrained in the size and be in conformance with generally accepted principles of good design and architecture.

3. Signing for a business within a commercial or industrial center shall be in harmony with the signing of the entire complex. The signing for any new or remodeled commercial or industrial center shall be approved concurrent with the overall design review of the project in the form of a consistent signing program.

4. All signs shall comply with the vision clearance standards.

5. Banners are permitted only for commercial, institutional or civic activities and may be located only in areas approved by the Planning Director or designee. Banners across state highways require the approval of the Oregon State Highway Division.

6. Two (2) neon window signs per business are allowed provided the maximum size is two hundred eighty (280) square inches.

7. Permitted Materials

a. Signs shall be constructed of wood, stone, metal or materials promoting a look of such natural materials.

b. Use of materials other than wood, stone or metal may be approved by the Planning Director or designee, provided the materials are indistinguishable in appearance from wood, stone or metal.

8. Signing Techniques shall be in conformance with the early 1900's Historical Mill Town and permitted as follows:

- a. Painting the sign directly on the facade of the building.
- b. Painting of a sign on a finished material or sign board which is subsequently affixed to the building.
- c. Affixing raised block letters directly on the facade of the building.

9. Lettering Techniques shall be in conformance with the early 1900s Historical Mill Town and permitted as follows:

- a. Ornamental lettering, as provided in **Exhibit A-1.**
- b. Shaded block or shaded ornamental lettering.
- c. Raised or routed block letters.

10. Logos may be permitted and shall be considered as part of the allowable sign area.

11. Illumination - no sign shall be erected or maintained which, by use of lights or illumination creates an unduly distracting and hazardous condition to a motorist, pedestrian or the general public. In addition:

- a. Signs may be externally illuminated by flood lights or other lighting approved by the Planning Director or designee, located on wall or roof area adjacent to the sign intended to be illuminated with illumination directed down.
- b. No external illumination devices shall be allowed to exceed the building height requirements of the underlying zone.
- c. No exposed reflective type bulb or incandescent lamp shall be exposed to direct view from a public street to highway but may be used for indirect light illumination of the display surface of a sign. This means that a person standing at the adjacent property line would not see the light emitting source.
- d. No sign shall be erected or maintained if it contains, includes or is illuminated by any flashing intermittent, revolving, rotating or moving lights, or which moves or which has animated or moving parts.

12. Joint Occupancy or Multiple Uses. The size restrictions set forth herein apply to each building. Where a building is occupied by a single occupant who carries on more than one activity within the building, the occupant must allocate the available ground or wall sign area in any manner between the various activities, but the total area so allocated may not exceed the a maximum area available to that occupant were he carrying on only a single activity. In like manner, where a building is occupied by more than one tenant, the owner may allocate available ground or wall sign area among the various tenants, but the total area so allocated may not exceed the maximum area available to a single tenant occupying the entire building.

9-09.01-50 Permit Exemptions

A. The following signs or procedures shall not require a sign permit:

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1. Repainting, cleaning or other normal maintenance or repair of a sign or sign structure *for which a Sign Permit approval has been given*, so long as the sign design, color, material, content, etc. is not modified in such a way as to conflict with the intent of the sign standards.
2. The changing of the advertising or message on an approved painted or printed sign or signs specifically designed for the use of replaceable copy, except for changing the name of the business of use advertised.
3. Temporary window signs.
4. Construction signs which identify the architects, engineers, contractors and other individuals or firms involved in the construction (but not including any advertisement of any product) and signs announcing the character of the building enterprise or the purpose for which the building is intended, during the construction period, to a maximum area of sixteen (16) square feet for each firm. The signs shall be confined to the construction site and shall be removed not later than fourteen (14) days after the beginning of the intended use of the project.
5. Real estate signs not exceeding twelve (12) square feet in area and six (6) feet in height, and unlighted, which advertises the sale, rental or lease of the premises upon which the sign is located. Such signs shall be removed no later than fourteen (14) days after the sale or lease of, or expiration of the listing for such property.
6. Signs directing traffic movement onto or within premises, not exceeding three (3) square feet per sign.
7. Political campaign signs. Such signs shall be removed no later than seventy-two (72) hours after the closing of the polls.
8. Garage sale, yard sale, patio or other similar sale signs of a temporary nature. Such signs shall be placed nor more than forty-eight (48) hours before the sale begins and removed no later than twelve (12) hours after the sale ends.
9. Memorial tablets, cornerstones or similar plaques not exceeding six (6) square feet in size.
10. Small illuminated or non-illuminated informational signs related to the operation of a business, such as open/close signs, and signs of a similar nature. Such signs shall not exceed three (3) square feet per sign and one such sign is permitted per building elevation.
11. Any other signs that are state or federally regulated and are not required to comply with local sign requirements.

9-09.01-60 Prohibited Signs

A. The following signs are prohibited:

1. Signs that are placed on, affixed to or painted on a motor vehicle or trailer and

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placed on public or private property for the primary purpose of providing a sign not otherwise permitted by these standards. Signs on vehicles used in the normal course of business shall not be subject to this provision.

2. Signs or sign structures that create a hazard by obstructing clear view of pedestrian and vehicular traffic.
2. No sign shall be attached to or placed against a building or other structure in such a manner as to prevent or inhibit ingress or egress through any door or window required or designated for access to any building, nor shall any sign obstruct or be attached to a fire escape.
3. No sign or other graphic display other than a City or other public agency sign shall be allowed to be erected, installed, replaced or maintained in, over or on any public property, including parkways, except as provided in this ordinance.
4. Any sign or other graphic display which is supported by more than one means and, therefore, cannot be clearly defined as ground, wall, roof, projecting, or other sign shall be administratively assigned to the sign category most logically applicable and the appropriate standards applied.
5. Service signs such as those identifying VISA or MasterCard shall not be attached to an approved sign. If such services are to be advertised, the signs shall be integrated into the overall sign design and are subject to all requirements of these standards.
6. No sign shall have or consist of any moving, rotating or otherwise animated part or any flashing, blinking, fluctuating or otherwise animated light. In addition, no sign shall approximate or resemble in any way an emergency light or sign. The provisions of this subsection shall not be applied so as to prohibit the following types of signs:
 - a. A conventional clock face
 - b. An on-premise traditional, revolving barber pole that is not more than eleven (11) feet above the ground.
7. Signs in right-of-way. Signs shall not be located in or extended onto public rights of way except as otherwise provided in these sign provisions. Traffic control signs and devices installed by the governmental entity responsible for the right-of-way and City signs are exempt from this prohibition.
8. Noise-emitting signs. Signs that emit sounds.
9. Billboards shall not be allowed in the City of Vernonia or the Urban Growth Boundary.
10. No sign shall be internally illuminated except as specifically allowed by the sign standards. Internally illuminated signs are signs which are wholly or partially illuminated by an internal light source from which source light passes through the display surface to the exterior of the sign.
11. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.

12. Exposed vending machines, such as those used to dispense soft drinks, not including newspaper and magazine stands.

9-09.01-70 Procedures

A. A sign permit is required in each of the following instances:

1. Upon the erection of any new sign except exempted signs.
2. To make alteration to an existing sign, including a change in the size or materials. Permits shall not be required for minor maintenance and repairs to existing signs.
3. To alter an existing non-conforming sign.
4. To erect a temporary sign for a new business.

B. The Planning Director or the applicant shall have the right to refer a Sign Permit application to the Planning Commission in lieu of the normal administrative process for a Sign Permit.

C. Required Information for a Sign Permit. For the purposes of review by the Planning Director or designee and Building Official, a drawing to scale shall be submitted which indicates fully the material, color, texture, dimensions, shape, relation and attachment to the building and other structures, structural elements of the proposed sign, and the size and dimensions of any other signs located on the applicant's building or property.

D. Sign Permit Fee. The applicant shall pay the required fee as established by the City Council. When a sign is erected or placed prior to approval of a required sign permit, the sign permit application fee shall be doubled. Payment of the double fee shall not relieve an applicant from fully complying with the requirements of the sign standards or from any applicable penalties.

9-09.01-80 Sign Measurement

A. The following criteria shall be used in measuring a sign to determine compliance with this ordinance:

1. Area. The area of the sign surface is computed by calculating the area encompassed within any regular geometric figure which would enclose all parts of the sign excluding structural supports, provided they are not used to attract attention.
2. Double-Faced Signs. Allowable sign square footage applies to only one side of double-faced signs.
3. Clearance. Clearance of a sign is measured from the average grade at the base of the sign to the lowest point of the sign.
4. Height. Height is measured from the grade of the curb line closest to the base of the sign to the highest point of the sign. In the absence of a curb line, the edge of the street pavement shall be used. In the absence of street pavement, the average finish grade shall be

used to measure the height. The height of an attached sign shall not exceed the ridgeline of the building or the top of the false façade.

9-09.01-90 Requirements for Signs by Zone District

A. The following table indicates allowable signs by zoning district.

Section 9-09 Table 1 Signs Permitted by Zone

	Wall	Projecting	Flexible	Ground	Roof	Awning	Portable	Home Occupation
LDR	*			*				X
R	*			*				X
GR	*			*				X
DT	X	X	X	X		X	X	
GC	X	X	X	X		X		
LI	X	X	X	X		X		
PR	X			X				
IP	X			X				

* Only for Approved Public or Semi-Public uses or B&B

Billboard signs: not allowed in the City

Off-site signs: only allowed on Hwy 47 per ODOT permit

B. Residential R , Public IP, and Park PR Zones

1. Sign regulations for non-residential uses permitted by a conditional use or other land use permit are as follows:

- a. Public and Semi-public uses such as a church, school, park, civic or similar organization are permitted one thirty-two (32) square foot wall or ground sign with a maximum height of eight (8) square feet.
- b. For multi-family developments and mobile home parks containing four or more units there may be one identification sign limited to twenty (20) square feet in area and not exceeding six (6) feet in height located at each entrance to the park or building complex. In addition, at each entrance, there may be an externally lit sign not to exceed fifteen (15) square feet in area containing a map showing the location of individual sites or units.
- c. One on-site temporary subdivision sign not exceeding fifty (50) square feet in area and ten (10) feet in height, provided that such signs shall be removed no later than two (2) years from the recording date of the subdivision or until building permits have been issued on all of the lots, whichever occurs first.

- d. Permanent Subdivision Sign. One ground-mounted sign not to exceed twenty (20) square feet in area and a maximum height of four (4) feet. The subdivision sign shall be permitted at the primary entrance to the subdivision.
- e. Bed & Breakfast Signs. One ground-mounted or monument sign not to exceed four (4) square feet in area and four (4) feet in height is allowed. A projecting sign may be used

C. All Other Zoning Districts

1. Wall, Awning, Projecting, Hanging, Window, Ground Mounted, Monument, Directory, Portable and Service Station Signs:

a. Each business shall be allowed one wall sign per exterior façade plus one awning, hanging or projecting sign. The face of a wall projecting from another wall shall not be considered part of the adjoining wall. Awning, projecting and wall signs shall be located on the portion of the building wherein the use or occupancy is conducted.

b. Area of Front Building Façade. When the area of the front building façade is used to determine sign area, said area shall be computed by multiplying the width of the building frontage or portion thereof by the height of the building or portion thereof which are devoted to the particular business. "False fronts" and mansard roofs shall be included when calculating the area of the building façade.

c. Wall Signs. One wall sign per building façade is permitted. Wall signs may not stand more than twelve (12) inches away from the wall; shall not exceed thirty percent (30%) of the wall areas in square feet of each façade; and shall not exceed two hundred (200) square feet in total area.

d. Awning Signs. The area of an a sign on an awning shall be deducted from the wall sign area permitted. Supports, posts or columns beyond the property line shall not be permitted.. Lettering shall be painted or otherwise permanently place on the awning.

e. Projecting Signs. Where the building is built to the property line, a projecting sign may extend over the public right-of-way no more than five (5) feet or 50% of the width of the sidewalks, whichever is less. The sign may not exceed twenty (20) square feet in area per face. A minimum seven (7) foot clearance from the bottom of the sign to the finished grade is required. Alleys require a 14-foot clearance. The top of the projecting sign shall not exceed the ridgeline of the building or the top of the false façade.

f. Hanging Signs. Hanging signs must be attached to the facades that have a public entrance and must maintain a minimum clearance of eight (8) feet above any public right-of-way or private sidewalk area. One hanging sign is allowed per tenant space. Hanging signs may have a maximum area of eight (8) square feet.

g. Permanent Window Signs. The total area of such permanent window signs, in combination with temporary window signs, shall not exceed 25% of the total window area. The sign area of each window sign shall be deducted from the maximum sign area

permitted on the building. See wall signs. Window signs shall not be illuminated. Window signs do not include business hours of operation or open/closed signs.

h. Ground Mounted Signs. Shall not exceed 32 square feet, except in the GC, LI and IP zones where ground mounted signs shall not exceed 50 square feet. Shall not be located within 10 feet of another sign. One ground mounted sign per lot is permitted. Sign height shall not exceed 20 feet.

i. Monument Signs. A low-profile ground sign that is supported by a solid base. The size shall not exceed 32 square feet and the height shall not exceed six (6) feet. *GET SISTER's UPDATE ON THIS TYPE OF SIGN*

j. Directory Signs: May be free-standing or affixed to an exterior wall. One per premises. Shall be no larger than 12 square feet in area, with letters no more than 6 inches in height. Shall not exceed 5 feet in height.

k. Shopping Center/Business Complex Signs. One ground or monument sign indicating the tenants. Plus each business is allowed one wall sign per exterior wall.

l. Drive-Thru Menu Board Signs. Are not permitted in the front yard setback. Maximum size of 30 square feet and maximum height of 8 feet. Only 2 menu boards for each drive-thru business.

m. Service Station Price Signs. One price sign per station. Maximum size of 32 square feet and maximum height of 20 feet. Shall conform to the early 1900's Historic Mill Town design theme.

n. Portable Signs. A portable sign, such as an A-frame or sandwich board sign shall comply with the following standards:

- (1). Maximum size of 8 square feet and a maximum height of 4 feet.
- (2). One sign per business is allowed, to be located within 10 feet of the business entrance.
- (3). May be displayed only during business hours.
- (4). Is not permitted to interfere with traffic visibility.

o. Off-Site Signs. The business activity must be located within 2 blocks of the sign. The sign may only occupy space fronting the highway, and must be approved by the Oregon Highway Division. Such sign shall comply with the early 1900's Historic Mill Town design theme.

9-09.01-100 Temporary Signs

A. Temporary signs shall comply with the following provisions:

1. Temporary Window Signs. Signs placed upon a window opening are permitted when such signs do not obscure more than twenty-five (25) percent of the window area, and are maintained for a period not exceeding thirty (30) days where upon they shall be removed for a minimum period of thirty (30) days. The total area of such temporary window signs,

in combination with permanent window signs, shall not exceed 25% of the total window area. Temporary window sign's font and color shall comply with the early 1900's Historic Mill Town theme.

2. Temporary signs, other than window signs, shall be displayed not more than one week before an event and be removed the day after the event. Total time for a temporary sign to be displayed shall not exceed 10 days. Exceptions to this time limit are business closure ("Going out of Business") signs, "Coming Soon" and Christmas or seasonal signage which may be displayed for 30 days prior to the event and removed within a week after the event.

3. Temporary signs, other than window signs, as defined herein have separate permit procedure. Temporary sign applications shall be made on forms provided by the City. All applications shall be made with a \$10 fee per temporary sign or banner, a \$25 refundable deposit and a responsible party identified with their phone number and address included. If the sign is not displayed as required by these provisions and not removed the day after the event, the deposit is forfeit and the responsible party notified. If the temporary sign is not removed, City employees or their agents shall remove the sign and the responsible party billed for removal.

4. Size. Temporary signs shall be a maximum of twenty (20) square feet in area.

5. Location. Temporary signs shall not be displayed in the public right-of-way and shall have the permission of the property owner on which they are displayed.

6. Prohibited Temporary Signs. Inflatable or lighter than air signs and/or devices used for advertisement are prohibited.

9-09.01-200 Non-Conforming, Illegal and Abandoned Signs

A. A non-conforming sign shall not be altered, reconstructed, replaced, relocated or expanded in any manner unless it is made to conform with the provisions of this section, except as follows:

1. Other nonconforming signs on the same property need not be made to conform as a result.
2. Change in copy shall be permitted if no structural changes in the sign are necessary, except that no change in copy shall be permitted for non-conforming painted wall signs.
3. Ordinary maintenance and minor repairs which will not increase the normal life of the sign and which are required for safety purposes shall be permitted. Structural alterations to the non-conforming sign are prohibited unless they are made to conform to all requirements of the City Code.

B. If the use identified by a non-conforming sign is abandoned for a period of not less than ninety (90) days, the sign shall be removed unless it is made to conform to the provisions of this section. If such sign is not made to conform or if it is not removed within one hundred twenty (120) days from the time the use is abandoned, it shall thereafter be unlawful. "Abandoned" shall mean cessation of operation or change of use. "Abandoned" shall not mean an ownership change of a

name change as long as there is no cessation of the operation for longer than ninety (90) days and the use is not changed.

9-09.01-300 Maintenance

All signs together with all their supports, braces, guys and anchors shall be kept in good repair and be maintained in a safe condition. All signs and the site on which they are located shall be maintained in a neat, clean and attractive condition. Signs shall be kept free from deterioration. The display surfaces, trims, frames and supports of all signs shall be kept neatly painted or otherwise neatly maintained as applicable. No person shall scatter, daub or leave any paint, paste or glue or other substance used for painting or affixing a message to the display surface of any sign or throw or permit to be scattered or throw any bills, waste matter, paper, cloth or materials of whatsoever kind removed from a sign on any public street, sidewalk or private property.

9-09.01-400 Enforcement

A. If the Building Official shall find that any sign regulated in this section is unsafe or insecure, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this section, he shall give written notice to the permittee thereof. If the permittee fails to remove or alter the structure so as to comply with the standard set forth in this section, within ten (10) days after such notice, such sign may be removed or altered to comply, by the City at the expense of the permittee or owner of the property upon which it is located. The Building Official may cause any sign or other advertising structure which is an immediate peril to persons or property to be removed summarily and without notice.

B. The owner of any sign, including supporting structures, shall keep the same in a presentable condition at all times. All painted signs, and all supporting structures of any sign, shall be repainted whenever such action is necessary to keep them in good condition.

C. Any sign which no longer advertises a bona fide business conducted, or a product available for purchase by the public, shall be taken down and removed within six (6) months of closing by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found, within thirty (30) days after written notification from the Building Official, and upon failure to comply with such notice within the time specified in such order, the Building Official is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the building or structure to which such sign is attached, or, if the sign is not attached to a building, by the owner of the sign.

9-09.01-500 Historical Signs. DELETE?

The owner of a nonconforming sign in existence on _____, may apply to the Planning Commission for a determination that the sign qualifies as an Historical Sign under the provisions of Chapter _____ of the Vernonia Municipal Code. The burden of proof shall be on the owner.

9-09.01-600 Sign Variances.

A. Sign height and sign area variances shall be processed as a Type III land use decision to be considered by the Planning Commission.

B. All other sign variances shall be processed as a *Type I or Type II??* decision.

C. The granting authority may grant a variance from the requirements of this section if it is established that:

1. The architectural design of a building, the location of a building site or location of building thereon, or some other circumstance relating to the sign proposal, is unusual or unique, and that because of this, a hardship will be created in that the applicant will be denied an opportunity to identify their business or location relatively equal to the opportunity accorded other members of the community not burdened with such unusual or unique architectural design, building site, or other circumstance.
2. The design is proportional to the building and location, is consistent with the request and will not be injurious to the neighborhood in which the property is located or to property established to be affected by the request; and
3. The request is the minimum variance necessary to provide reasonable signage for the property affected.